

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

TENDLER CELLULAR OF TEXAS, LLC

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON  
WIRELESS,

Defendant.

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CIVIL ACTION NO. 6:09-CV-00115

**JURY TRIAL DEMANDED**

**STIPULATED MOTION FOR DISMISSAL**

Based on the settlement agreement reached between the parties, Plaintiff, TENDLER CELLULAR OF TEXAS, LLC (“Tendler”), and defendant, CELLCO PARTNERSHIP d/b/a/ VERIZON WIRELESS (“CELLCO”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing with prejudice all claims asserted by Tendler against CELLCO and dismissing without prejudice the counterclaim asserted by CELLCO against Tendler, with each party to bear its own costs, expenses and attorney’s fees.

Dated: August 4, 2010

Respectfully submitted,

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(with permission by David A. Skeels)  
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**ATTORNEYS FOR PLAINTIFF  
TENDLER CELLULAR OF TEXAS, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of August, 2010, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ David A. Skeels